

Hopedale Conservation Commission
Meeting Minutes
December 21, 2021

Call to Order: 6:00 pm by Becca Solomon
Meeting held virtually via Zoom.

Attendees on Zoom:

Commission Members: Becca Solomon, Dave Guglielmi, Marcia Matthews.

Attendees: Robert Duff; Milton Machado; Doug Hartnett, Principal, Highpoint Engineering; Andrea Kendall, LLC, Langdon Environmental; William (Bill) Buckley, Owner, Developer; Amanda Cox; Jayme Solomon-Zissu; Kevin Marra; Colleen S.; Will S.; Brian Poitras; Hilde Karpawich; Tim Watson; Bird; Kevin Marsh; Chris G.

Meeting Minutes Approval. Minutes of 20 July, 17 August, 28 September; 19 October; and 16 November pending.

Discussion

4 Forest Path COC request and determination. Robert Duff representing the property owner requested a COC in May on a 2002 Order of Conditions. The previous owner did additional work. "We reached out to the DEP. They sent it back to the Commission. The work has been done and the site stabilized. In August 2020 the Commission did a site visit and noted we still needed an as-built plan by a registered engineer certifying compliance on materials, slopes, grading and fill, and building. Dave said the COC was declined because of changes. A pool, a patio, a firepit, and a shed were additional. He said the original order had clear and unambiguous language "a request shall be filed with the Commission". Request denied because work was beyond the Order of Conditions.

Robert Duff said they weren't aware the request was denied and they were trying to put this to rest. Dae replied that this matter is unfortunate but it was highly preventable. Proper filing could have been done in the past 20 years. The remedy is not with our Commission.

Becca said a pool, a firepit, a shed, deck and patio are significant impervious cover.

Robert Duff replied that the order is on the deed. Becca said that they are not allowed to sell property without a COC. It was a violation of the Wetlands Protection Act. We issued a denial. The DEP does not take appeals and we are not sure what the appealing authority would be.

Dave said judicial review, but that is not up to us. This is a closed matter.

Becca said partial release or denial closes out the order. If we wanted restoration done, a plan could be submitted, but with an open order no work can be done.

Dave said the exploration is not with us, it is with the applicant. Move to conclude discussion on this matter and reiterate our denial. Motion passed unanimously.

Notice of Intent

75 Plain Street, former Rosenfeld property. A petition was signed by a number of residents. The Commission needs to review the petition.

Doug Hartnett said the applicant has been to the ZBA, continued to January; had a third hearing with the Planning Board on December 1; conducted a noise study, continued to January; received peer review on stormwater from Gray's, and on traffic from MDM Transportation. He said the project provides 72% runoff infiltration for a 10-year event. They have made minor, but no substantive design revisions. "Our goal is to continue to revise the plans and resubmit and close out outstanding issues at meetings in January." The peer review letter has been forwarded to the Commission.

Becca opened the public hearing. Resident Milton (?) Machado expressed concerns about grade changes and water swamping his property. He said, "We all have wells."

Becca replied that the current property is concrete and the flow of water should not be impacted.

Doug Hartnett addressed the abutters and residents on the call regarding stormwater. "Groundwater recharge is sufficiently treated by surface and subsurface treatment and infiltration facilities all around the building that reintroduce water to the underlying aquifer."

Becca said the plan and peer review are available at the Town Hall via the Town Clerk.

Doug Hartnett said, "The building slab is elevated and then we match grade. We observe best management practices, and pre-treat any runoff."

Milton Machado requested ongoing review. He is concerned about polluted water 12 months or 24 months later.

Becca replied that the Order of Conditions would be good for three years. The Commission can have site visits. "Once the OOC is issued, no changes can be made. If there is any water pollution, the DEP and Conservation Commission can step in."

Milton Machado said, "I'm in the trade. Will this project be turned over to public works?"

Becca replied, "The Building Inspector and other departments will monitor, but it's outside our jurisdiction."

Tim Watson said, "The applicant has filed a stormwater plan and maintenance schedule and the town will make sure they adhere to it. Chris Nadeau is designated to inspect."

Doug Hartnett said the applicant is obligated to a long-term plan to ensure best management practices are adhered to.

Becca said those questions are not under our jurisdiction.

Dave questioned if in the front of the building where tractor trailers park, are there storm drains to capture diesel fuel in case of a leak?

Doug Hartnett replied, "There are areas to pick up runoff in sediment forebays but no closed drainage. Any diesel spill would be captured. We have provisions to line the forebay."

Becca said, "In another town a truck tipped over and spilled." The DEP cleaned it up.

Dave said, "We need to look at it more in depth. One hundred parking spaces is a lot of trucks."

Doug Hartnett added, "The biggest concern is the west side where it relates to the river. We plan spill prevention materials, a toolkit with absorbent materials."

Dave asked if there would be floor drains in the truck bays.

Doug Hartnett replied, "No, all surface run-off."

Dave moved to continue the public hearing to Jan. 18, 2022 at the next regular meeting. Applicant approved. Motion passed and the hearing was continued.

Committee Business

Dave composed a letter regarding our participation in the MVP (Municipal Vulnerability Preparedness) program under CMRPC (Central Massachusetts Regional Planning Commission), the Blackstone Valley Watershed Association, and other groups regarding the permitting process.

Becca explained that the permitting process is going online. Town administrator Diana Schindler is setting it up. "We have some leads on administrative help and hope to catch up on email."

Will Sasso (?) commented that his project has received approvals from the Planning Board and ZBA. Becca said it was too late to get on the agenda. Dave suggested a special meeting to expedite.

The meeting adjourned at 7:09 p.m. The Commission's next meeting will be January 18, 2022 at 6 p.m.

Agenda will be posted per standard posting requirements. Agenda will include call-in/Zoom meeting information.